

Campbell, Rich

From: Brush, Jason
Sent: Friday, March 14, 2014 6:05 PM
To: Greczmiel, Horst; Raymond Suazo
Cc: Goforth, Kathleen; Dunning, Connell; Jessop, Carter; Goldmann, Elizabeth; Leidy, Robert; Bose, Laura; Campbell, Rich; Hanf, Lisa; Castanon, David J SPL; Blaine, Marjorie E SPL; Kaiser, Russell; Pendergast, Jim; Evans, David; Miller, Clay; Diamond, Jane; Martynowicz, Trina; Johnson, Kathleen
Subject: FW: Rosemont Copper Company - Proposed allocation of surface water rights (as of 3.6.14)

Horst and Ray – Thanks for the call today. I believe others are forwarding the congressional incoming and responses, as requested. But as water rights issues were raised again today on both calls, I thought the brief table my staff put together below is probably worth sharing. The upshot is that USGS data shows the 1,122 afy rights Rosemont is offering actually yields 360 afy at best, and the trendline is drying. In other words, only a subset of the most senior right is actually “wet.”

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From: Goldmann, Elizabeth
Sent: Tuesday, March 11, 2014 11:01 AM
To: Brush, Jason; Leidy, Robert; Jessop, Carter
Subject: Rosemont Copper Company - Proposed allocation of surface water rights (as of 3.6.14)

Rosemont Copper Mine – Surface Water Rights

Rosemont has acquired the right to purchase 1,122 AFA of surface water rights in Cienega Creek to be used as mitigation for the proposed Rosemont Mine. **Of the 1,122 AFA, only an average of 360 AFA is “wet water” associated with the 1908 senior water right. The balance is “paper water.”**

The water rights are as follows:

1908 (senior) water right: 597 AFA

1933 water right: 477 AFA

1935 water right: 46 AFA

Allocation of Surface Water Rights by Rosemont Copper Company (March, 2014 subject to change):

Agency	1908 Senior Surface Water Right (597 AFA)	1933 Surface Water Right (477 AFA)	1935 Surface Water Right (46 AFA)
Corps	400		
USFWS/AGFD		150	
Pima County		100	46

Remaining Water Rights	197	227	0
BLM -250 AFA	*	*	
Unallocated Water Rights = 176 AFA			

*250 AFA - Distribution between 1908 and 1933 unknown.

404 CWA Mitigation:

The Rosemont Mine 404 mitigation proposal, dated March 6, 2014, commits **400 AFA of base flow and stormwater flow to the Corps** to offset 28.4 acres of indirect impacts upstream at Barrel and Davidson Canyons. Although past proposals allocate the 1908 water right, the recent proposal does not designate the water right associated with 404 mitigation.